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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,) 2:15-cr-00071-JAD-GWF
Plaintiff,)
vs.) STIPULATION TO CONTINUE
ROBERT KINCADE,) DEADLINE FOR GOVERNMENT'S
Defendant.) RESPONSE TO DEFENDANT'S MOTION
) TO PRECLUDE CHARACTER
) EVIDENCE OFFERED BY
) GOVERNMENT AS EVIDENCE UNDER
) FED.R.EVID.404(B) (Doc #128)

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Alexandra Michael., Assistant United States Attorney, counsel for the United States of America, and Kathleen Bliss, counsel for Defendant ROBERT KINCADE, that the deadline for Government's Response to Defendant's Motion to Preclude Character Evidence offered by Government as Evidence under Fed.R.Evid. 404(b), currently set for October 20, 2016, Doc. #128, be vacated and continued for seven (7) days, until October 27, 2016, or to a date to be set at the Court's convenience.

This stipulation is entered for the following reasons:

1. The AUSA for the Government recently concluded trial and as a result, requires

additional time to prepare a Response to Defendant's Motion to Preclude 404(b) Evidence.

United States v. Louis Matthews (2:15-cr-00062-JCM-CWH).

2. The Defendant is in custody and does not object to the continuance.

3. For the reasons stated above, the ends of justice would best be served by a

continuance of the deadline.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(D) and 3161(h)(7) and Title 18, United States Code, Section 3161(h)(7)(A) and (h)(3)(A), when considering the facts under Title 18, United States Code, Sections 3161(h)(7)(B), 3161(h)(7)(B)(i),and 3161(h)(7)(B)(iv).

6. This is the first request for a continuance filed herein.

/s/
ALEXANDRA MICHAEL
Assistant United States Attorney
Counsel for the United States

/s/
KATHLEEN BLISS
Counsel for Defendant ROBERT KINCADE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,) 2:15-cr-00071-JAD-GWF
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) FED.R.EVID.404(B) (Doc #128)

FINDING OF FACTS

This stipulation is entered for the following reasons:

1. The AUSA for the Government recently concluded trial and as a result, requires additional time to prepare a Response to Defendant's Motion to Preclude 404(b) Evidence. *United States v. Louis Matthews* (2:15-cr-00062-JCM-CWH).

2. The Defendant is in custody and does not object to the continuance.

3. For the reasons stated above, the ends of justice would best be served by a continuance of the deadline.

CONCLUSIONS OF LAW

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(D) and 3161(h)(7) and Title 18, United States Code, Section 3161(h)(7)(A) and (h)(3)(A), when considering the facts under Title 18, United States Code, Sections 3161(h)(7)(B), 3161(h)(7)(B)(i),and 3161(h)(7)(B)(iv).

6. This is the first request for a continuance filed herein.

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS HEREBY ORDERED**, that Government's Response to Defendant's Motion to Preclude Character Evidence offered by Government as Evidence under Fed.R.Evid. 404(b), currently set for October 20, 2016, be vacated and continued to October 27, 2016

DATED this 21st day of October, 2016.

UNITED STATES DISTRICT JUDGE
JENNIFER DORSEY